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12 ATTORNEYS FOR DEFENDANTS

13 **UNITED STATES DISTRICT COURT**

14 **CENTRAL DISTRICT OF CALIFORNIA**

15 TRAFFICSCHOOL.COM, INC., A CALIFORNIA ) CASE NO: CV 06-7561 PA (CWx)  
16 CORPORATION; DRIVERS ED DIRECT, LLC, A )  
17 CALIFORNIA LIMITED LIABILITY COMPANY, )  
18 PLAINTIFFS, ) **DECLARATION OF RAJ LAHOTI IN**  
19 VS. ) **SUPPORT OF DEFENDANTS'**  
20 EDRIVER, INC.; ONLINE GURU, INC.; FIND ) **OPPOSITION TO PLAINTIFFS'**  
21 MY SPECIALIST, INC., AND SERIOUSNET, ) **MOTION FOR CONTEMPT**  
22 INC., CALIFORNIA CORPORATIONS; RAVI K. )  
LAHOTI, AN INDIVIDUAL; RAJ LAHOTI, AN )  
INDIVIDUAL; AND DOES 1 THROUGH 10, )  
23 DEFENDANTS. )  
24 )  
25 )  
26 I, Raj Lahoti, hereby declare the following:  
27 1. I am the Chief Executive Officer and President of Online Guru, Inc.  
28 ("Online Guru") defendant in this matter. I have personal knowledge of the facts

1 hereinafter stated and hereby testify competently thereto as a witness in the above-  
2 captioned matter.

3       2. Online Guru owns the DMV.ORG domain name and is responsible for  
4 managing the business operations and content of the website located at www.dmv.org  
5 (the "Website").

6       3. On August 29, 2008, the day after I received a copy of the Judgment and  
7 Permanent Injunction ("Injunction"), we launched the splash page as required by the  
8 Court. We were able to do so because Online GURU had already begun taking diligent  
9 steps in preparation for the deployment of a splash page during the summer of 2008 when  
10 we first received a copy of the court's proposed injunction.

11       4. Specifically, upon receipt of the Court's Proposed Injunction (dated on or  
12 about June 5, 2008), Online Guru assembled a team to research, deploy, analyze and  
13 prototype a splash page. I assembled a team at Online Guru to meet and review our  
14 records on this project on or about January 12, 2009. Based on our meeting and  
15 discussions, we estimate that over 400 hours were spent in relation to the deployment of  
16 the splash page. This number encompasses my involvement as well as the involvement  
17 of the company's Director of Technology, Senior Developers, Product Management,  
18 Designers, Release Engineer, Senior Vice President of Business Development, Vice  
19 President of Finance & Operations, and Director of Analytics.

20       5. As Online Guru's CEO, I was personally involved in discussions and  
21 decision-making regarding the deployment, implementation and support of the splash  
22 page as per the Injunction. I know from my personal participation in this deployment  
23 effort that in addition to implementing the splash page pursuant to the Injunction, Online  
24 Guru has also voluntarily and proactively employed additional measures, clearly visible  
25 to each and every visitor, to ensure that visitors to the DMV.ORG website remain aware  
26 that they are visiting a privately-owned, independent website, regardless of whether or  
27 not a splash page is displayed:

28           a. a disclaimer in an exclusive highlighted section at the top of each

1 and every webpage displaying the following statement larger than required by the Court  
2 on the splash page itself: "DMV.ORG is a privately owned website that is not owned or  
3 operated by any government agency." This disclaimer was posted on or about June 12,  
4 2008. Attached hereto as Exhibit 24 are true and correct copies of screenshots of  
5 DMV.ORG pages displaying such disclaimer;

6                   b.       the use of "Unofficial Guide to the DMV" in the logo at the top of  
7 every page; and, use of "Unofficial Guide to the DMV" on the home page and each state  
8 home page. These disclaimers were posted on or about May 2007.

9                   c.       an additional disclaimer at the bottom of each and every webpage  
10 stating: "\*\*\*\*Please note that DMV.ORG is not owned, operated, or affiliated with any  
11 government agency.\*\*\*\*" This has been in place since in or about early 2004. Attached  
12 hereto as Exhibit 25 is a true and correct copy of a screenshot of DMV.ORG displaying  
13 such disclaimer;

14                   d.       visitors to DMV.ORG wishing to send a communication to the  
15 website must click through an affirmative acknowledgement checkbox further confirming  
16 the user's understanding that the website is the privately-owned and asking that they not  
17 send personal/confidential information such as drivers license and social security  
18 numbers. Specifically, it states: "\*  I acknowledge that DMV.ORG is a privately  
19 owned website that is not owned or operated by any state government agency." This  
20 was posted on or about June 12, 2008. Attached hereto as Exhibit 26 are true and correct  
21 copies of screenshots displaying such acknowledgement click-thrus.

22               6.       Omniture, Inc. is a third party company that licenses web analytics  
23 software. Omniture software is an industry standard tool used for tracking website  
24 internet traffic and related statistics. Online Guru has a license to use Omniture's web  
25 analytics software. Online Guru is therefore able to access a variety of forms of traffic  
26 data for the DMV.ORG website through Omniture, and our company routinely retrieves  
27 and reviews these reports in the regular course of business.

28               7.       As Online Guru's CEO, I personally and routinely review reports from

1       Omniture on a regular basis to analyze the performance of our websites, including  
2       DMV.ORG website. Among the statistics that I review on a regular basis is the one that  
3       tracks the number of unique visitors and page views to DMV.ORG.

4       8.       As Online Guru's CEO, I also routinely review statistics of other websites  
5       on the Internet. To do this, I often use the tools provided by <http://www.compete.com>  
6       ("Compete.com"). Compete.com is a third-party website offering web analytics tools,  
7       and providing free statistics regarding almost every website on the Internet – including  
8       site traffic history. I have pulled analytics reports from Compete.com for the following  
9       state owned department of motor vehicle websites: California, Nevada, New York and  
10      Utah. Attached hereto as Exhibit 27 are true and correct copies of such reports.  
11      According to these reports, user traffic for these websites has decreased since the end of  
12      August 2008 – the time period when the splash page went live on DMV.ORG.

13      9.       Among its many services, DMV.ORG provides users with links to various  
14      web pages and resources posted on such state owned department of motor vehicle  
15      websites. State DMV's have begun major initiatives to encourage people to handle their  
16      issues online rather than coming into the DMV. These initiatives are designed to save  
17      taxpayer dollars by decreasing the burden on DMV employees and by streamlining  
18      processes. DMV.ORG has become a valuable and free marketing tool for all 50 states'  
19      DMV's as they receive traffic from users, many of whom were NOT intending to find  
20      DMV information online, but coming to DMV.ORG for some other reason, and learning  
21      about the online services offered by their state. This saves taxpayer dollars, and helps  
22      states cut costs, helping states and the public.

23      10.      DMV.ORG also saves users time and frees up DMV resources by offering  
24      alternative means to find solutions such as DMV.ORG Answers. DMV.ORG Answers is  
25      a revolutionary service which allows users to post common DMV questions to an online  
26      community hosted by DMV.ORG, rather than adding to the already long lines at the  
27      DMV for answers to basic questions. These questions are then answered and  
28      rated/reviewed for helpfulness by other users in the online community. Common

1 questions which are addressed on DMV.ORG include questions about license& IDs,  
2 education and testing, registration and training, buying and selling, tickets and accidents,  
3 insurance, reports and records, law, rules, and regulations, and local DMV offices.  
4 Visitors to DMV Answers can browse questions by search terms or view questions by the  
5 state which the question concerns.

6 I declare under penalty of perjury under the laws of the United States  
7 of America that the foregoing is true and correct and that I executed this  
8 declaration on January 20, 2009 in San Diego, California.

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Raj Lahoti

## **Exhibit 24**

DMV.ORG - DMV Guide - The Unofficial Guide to the DMV - Microsoft Internet Explorer provided by Foley

File Edit View Favorites Tools Help

Back Search Favorites Go Links

Address http://www.dmv.org/

DMV.ORG is a **privately owned website** that is **not** owned or operated by any government agency.

**DMV.ORG**  
Unofficial Guide to the DMV™

Enter Keywords... **SEARCH**

DMV Guide Insurance Center Tickets & Driving Schools Reports & Records Buying & Selling Laws & Attorneys

**Featured Resources**

- Auto Insurance
- Background Checks
- Drivers Education
- Drivers License & ID
- Driving Records
- Forms & Publications
- Free Credit Report
- Lawyers
- Locations & Hours
- Practice Tests
- Traffic Schools
- Vehicle & Tire Recalls
- Vehicle History Report
- Vehicle Registration

**The Unofficial Guide to the DMV™**

**Choose Your State** 

Click on the map to select your state



Alaska  
Hawaii  
Washington DC

**DMV Guide**

- Drivers License & ID
- First Time Drivers
- Registration & Towing
- Driving Records

**What's New**

We can save you a trip or a call to the DMV

**About DMV.ORG**

DMV.ORG is the largest community-driven DMV resource guide. We have **over 1,000**

Internet

California DMV Guide - DMV.ORG - The Unofficial Guide to the CA DMV - Microsoft Internet Explorer provided by Foley

File Edit View Favorites Tools Help

Back Favorites Address http://www.dmv.org/ca-california/department-motor-vehicles.php Go Links

DMV.ORG is a **privately owned website** that is **not** owned or operated by any government agency.

**DMV.ORG**  
Unofficial Guide to the DMV™

Enter Keywords... **SEARCH**

California

DMV Guide Insurance Center Tickets & Driving Schools Reports & Records Buying & Selling Laws & Attorneys

**Featured Resources**

- Auto Insurance
- Background Checks
- Driver Education
- Drivers License & ID
- Driving Records
- Forms & Publications
- Free Credit Report
- Lawyers
- Locations & Hours
- Online Drivers Ed
- Online Traffic School
- Practice Tests
- Vehicle & Tire Recalls
- Vehicle History Report
- Vehicle Registration

**MY.DMV.ORG**

EMAIL   
PASSWORD   
[Forgot Password?](#)

**LOGIN**

Join us in our mission to build the largest community powered database of common DMV Questions & Answers.

Once you join, you'll be able to:

- Ask a question
- Answer a question and help fellow members
- View questions already answered by other members

**SIGN UP NOW!**

Done Internet

**The Unofficial Online Guide to the CALIFORNIA DMV**

**What Can We Help You With Today?**

<a href="#">Drivers License</a>	<a href="#">Drivers Ed</a>
<a href="#">Auto Insurance Quotes</a>	<a href="#">Traffic Schools</a>
<a href="#">Check a Vehicle's History</a>	<a href="#">Locations &amp; Hours</a>
<a href="#">Vehicle Registration</a>	<a href="#">Find DMV Forms</a>
<a href="#">Driving Records</a>	<a href="#">Car Insurance Quotes</a>

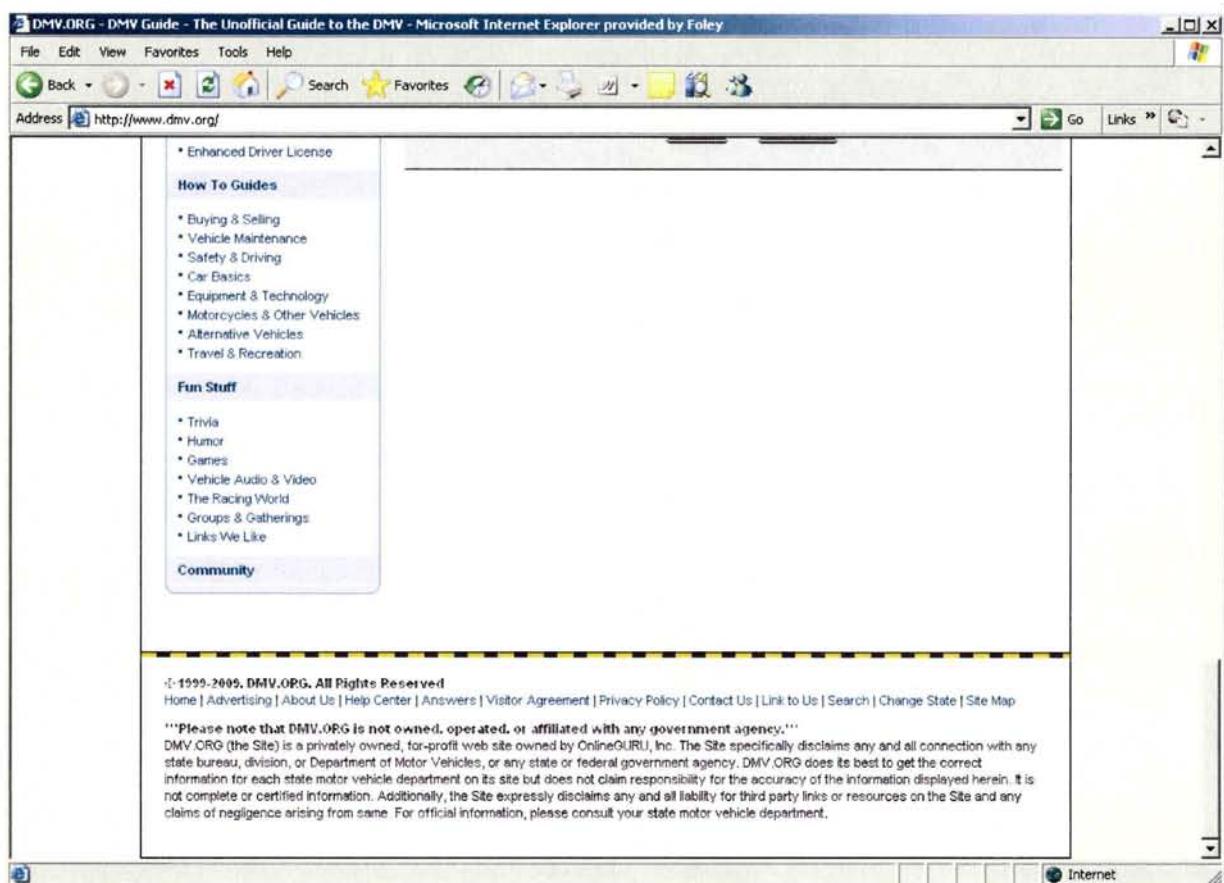
**MORE...**

**- OR -**

**Tell Us What You're Looking For:**  **Go**

DMV.ORG is the largest community-driven DMV resource guide. We have over **100 members** working together to ask and answer common questions related to the DMV.

## **Exhibit 25**



## **Exhibit 26**

DMV.ORG - Help Center Contact Information - Microsoft Internet Explorer provided by Foley

File Edit View Favorites Tools Help

Back Search Favorites Go Links

Address http://www.dmv.org/help/contact.php

DMV.ORG is a **privately owned website** that is **not** owned or operated by any government agency.

**DMV.ORG**  
Unofficial Guide to the DMV™

Enter Keywords... SEARCH

California

DMV Guide Insurance Center Tickets & Driving Schools Reports & Records Buying & Selling Laws & Attorneys

Home > Help Center >

## Contact Information

**DMV Office Contact Info**

Contact your state DMV to get answers to the following types of questions:

- ✓ I passed my driving test three weeks ago, but I still haven't gotten my license in the mail. When will I get it?
- ✓ I want to pass along a compliment to the supervisor of a specific city branch. How do I contact them?
- ✓ I keep getting an error when I fill out the form to renew my license online. Who do I talk to about this?
- ✓ Any other DMV-specific issues.

[Contact Your DMV Office](#)

**Web Site Contact Info**

DMV.ORG is a **privately owned Web site** that is **not** owned or operated by any government agency.

Only contact DMV.ORG support when you have questions specific to our Web site such as:

- ✓ I have questions or comments on an advertised product/service listed at DMV.ORG.
- ✓ I'd like to suggest an idea to improve the Web site.
- ✓ I want to report an error with the Web site.

[Contact Web Site Support](#)

- Rate This Page 

Done Internet

Ask a Question 115 characters to use

Enter your question here  
(Provide question details in the next step)

**POST QUESTION**

**DMV Office Locations, Hours, & Numbers:**

California Go

**Top 10 Topics at DMV.ORG**

1. Drivers License & ID
2. Locations & Hours
3. DMV Practice Tests
4. Registration & Titling
5. Driving Records
6. Tickets & Driving Schools
7. Forms & Publications
8. New Drivers
9. Vehicle History Reports
10. Insurance

**Trouble Using Our Web Site?**

Please Note: DMV.ORG is a **privately owned website** that is **not** owned or operated by any government agency.

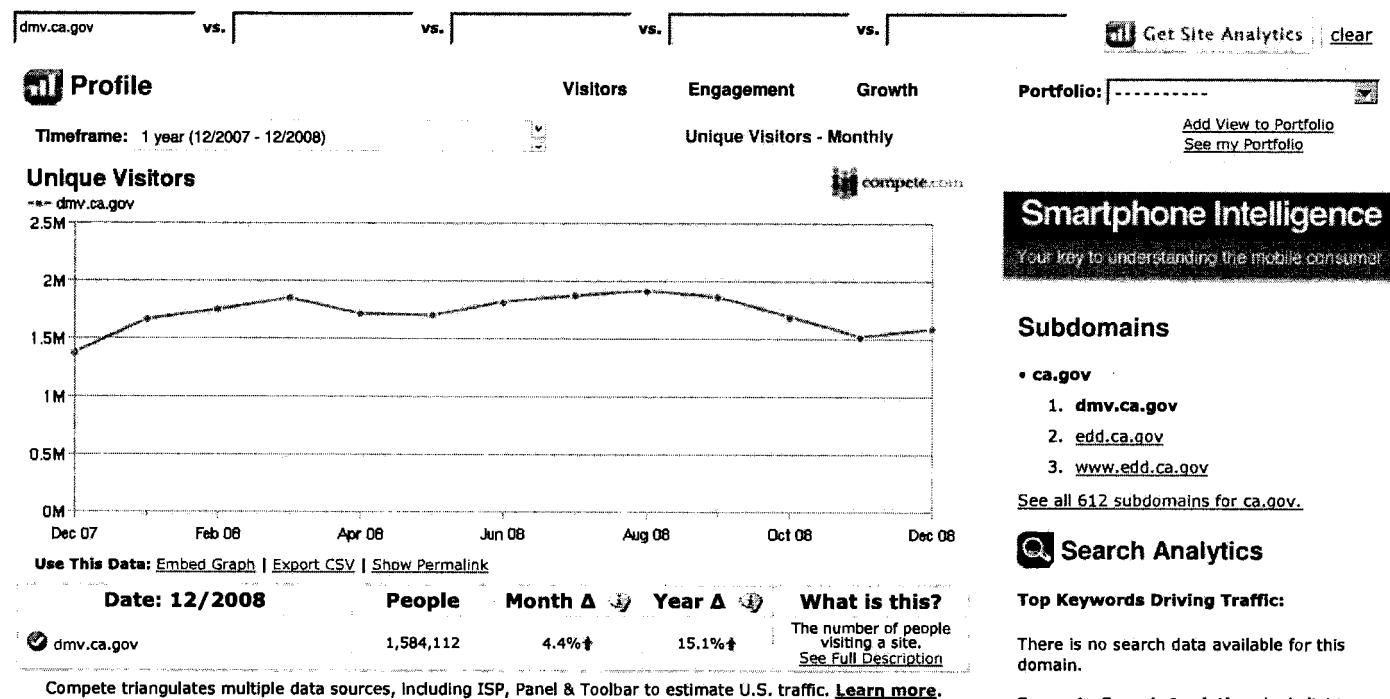
[Contact Web Site Support](#)

**About Our Web Site**

- [About Us](#)
- [Advertising & Partnerships](#)
- [Linking to Us](#)

## **Exhibit 27**

## Site Analytics



## Introducing Referral Analytics

Where is traffic coming from? Where is traffic going?

## Smartphone Intelligence

Your key to understanding the mobile consumer

### Subdomains

• ca.gov

1. [dmv.ca.gov](#)
2. [edd.ca.gov](#)
3. [www.edd.ca.gov](#)

[See all 612 subdomains for ca.gov.](#)

## Search Analytics

### Top Keywords Driving Traffic:

There is no search data available for this domain.

Compete Search Analytics sheds light on your rivals' search strategies, and helps you build more effective campaigns. [Learn more](#).

### About dmv.ca.gov

Category: Uncategorized

View Count: 9

#### Site Rating:

Help rate this site by clicking a site rating above.

[Whois](#)

[AboutUs.org](#)

 [ZoomInfo](#)

### Company Profile

Company: DMV

Location: New Castle, Delaware United States

## Site Analytics

vs.

vs.

vs.

Login to Enable

vs.

Login to Enable

vs.

Login to Enable

clear

Get Site Analytics

clear

### Profile

Timeframe:

Visitors

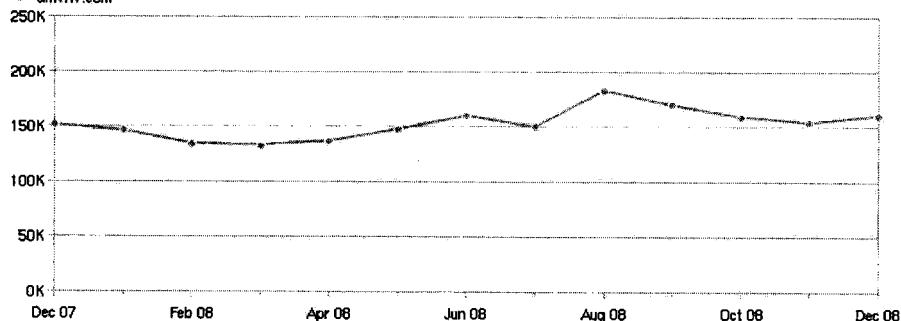
Engagement

Growth

Unique Visitors - Monthly

### Unique Visitors

-- dmvnv.com


[Use This Data: Embed Graph](#) | [Export CSV](#) | [Show Permalink](#)

Date: 12/2008

People

Month Δ

Year Δ

What is this?

160,200

4.3% ↑

6.0% ↓

The number of people

visiting a site.

[See Full Description](#)

 Compete triangulates multiple data sources, including ISP, Panel & Toolbar to estimate U.S. traffic. [Learn more.](#)
 dmvnv.com


### Introducing Referral Analytics

Where is traffic coming from? Where is traffic going?

### Smartphone Intelligence

Your key to understanding the mobile consumer

### Subdomains

• dmvnv.com

None

 Login or Register in order to view more  
 Subdomain data. It's free and easy. [Register today.](#)

### Search Analytics

#### Top Keywords Driving Traffic:

1. nevada dmv
2. dmvnv
3. dmvnv.com
4. www.dmvnv.com
5. nv dmv

 See all 249 keywords that drive traffic to  
[dmvnv.com](#).

 Compete Search Analytics sheds light on  
 your rivals' search strategies, and helps you  
 build more effective campaigns. [Learn more.](#)

### About dmvnv.com

**Category:** Uncategorized

**View Count:** 96

**Site Rating:**

 Help rate this site by  
 clicking a site rating above.

[Whois](#)
[AboutUs.org](#)

### Company Profile


**Company:** Nevada Department of Motor  
 Vehicles

**Location:** Carson City, Nevada United States

**Description:** The Nevada Department of  
 Motor Vehicles and Public Safety is offering  
 new Saturday hours at the DMV branch office  
 in Hen... [Show More](#)

[nyedmv.com](#)

vs.

vs.

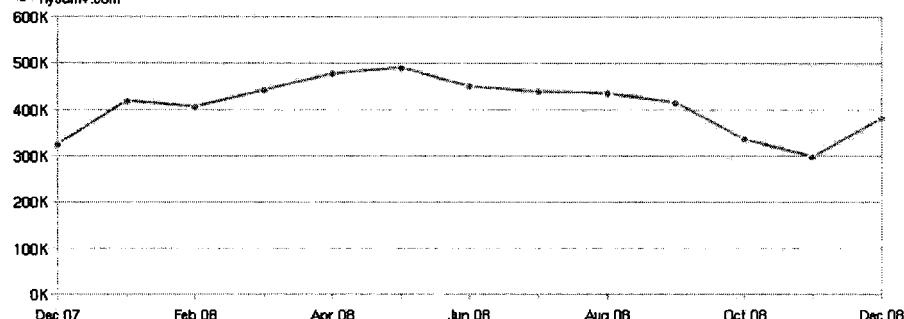
vs. [Login to Enable](#)vs. [Login to Enable](#)
 [Get Site Analytics](#) | [clear](#)

## Profile

**Timeframe:** 1 year (12/2007 - 12/2008)

[Visitors](#)
[Engagement](#)
[Growth](#)
[Login to MyCompete to save this SnapShot](#)

### Unique Visitors

[nysdmv.com](#)

[Use This Data: Embed Graph](#) | [Export CSV](#) | [Show Permalink](#)
**Date: 12/2008**
**People**
**Month**
**Year**
**What is this?**

 The number of people visiting a site.  
[See Full Description](#)

380,367 27.8% 17.3%

 nysdmv.com

 Compete triangulates multiple data sources, including ISP, Panel & Toolbar to estimate U.S. traffic. [Learn more](#).


## Introducing Referral Analytics

Where is traffic coming from? Where is traffic going?

**Who are your competitors targeting?**


### Subdomains

**• nysdmv.com**

None

 Login or Register in order to view more Subdomain data. It's free and easy. [Register today](#).

## Search Analytics

### Top Keywords Driving Traffic:

1. [www.nysdmv.com](#)
2. [nysdmv](#)
3. [nysdmv.com/renew/default.html](#)
4. [nysdmv.com](#)
5. [nysdmv.com renew default.html](#)

[See all 423 keywords that drive traffic to nysdmv.com](#).

**Compete Search Analytics** sheds light on your rivals' search strategies, and helps you build more effective campaigns. [Learn more](#).

### About nysdmv.com

**Category:** Government >> State and Local

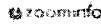
**View Count:** 97

### Site Rating:

Help rate this site by clicking a site rating above.

[Whois](#)
[AboutUs.org](#)

### Company Profile


**Company:** NYS DMV

**Location:** Albany, New York United States

**Description:** NYS DMV, NYSDMV, New York State Department of Motor Vehicles, driver license, vehicle title, vehicle registration, vehicle... [Show More](#)



[Sign in to MyCompete](#) | [Don't have an Account?](#) | [Help/FAQs](#)

## Site Analytics

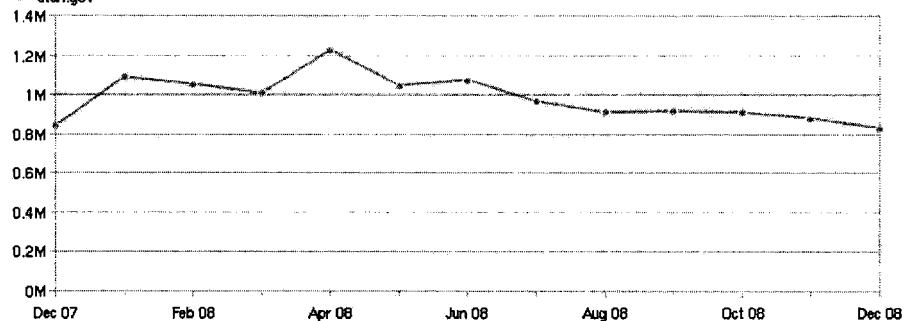
utah.gov vs. [redacted] vs. [redacted] vs. [redacted] vs. [redacted] Get Site Analytics | clear

### Profile

Timeframe: 1 year (12/2007 - 12/2008)

#### Unique Visitors

utah.gov



Use This Data: [Embed Graph](#) | [Export CSV](#) | [Show Permalink](#)

Date: 12/2008

People

Month Δ

Year Δ

What is this?

utah.gov

828,831

-5.6%

-1.1%

The number of people visiting a site.

[See Full Description](#)

Compete triangulates multiple data sources, including ISP, Panel & Toolbar to estimate U.S. traffic. [Learn more](#).



### Introducing Referral Analytics

Where is traffic coming from? Where is traffic going?



### Introducing Referral Analytics

Introducing Referral Analytics

### Subdomains

utah.gov

1. [jobs.utah.gov](#)
2. [www.utah.gov](#)
3. [secure.utah.gov](#)

[See all 134 subdomains for utah.gov](#).

Login or Register in order to view more Subdomain data. It's free and easy. [Register today](#).

### Search Analytics

#### Top Keywords Driving Traffic:

1. \* site:utah.gov
2. utah jobs
3. utah
4. \*
5. jobs.utah.gov

[See all 3,259 keywords that drive traffic to utah.gov](#).

Compete Search Analytics sheds light on your rivals' search strategies, and helps you build more effective campaigns. [Learn more](#).

### About utah.gov

Category: Government >> State and Local

View Count: 1,077

Site Rating:

Help rate this site by clicking a site rating above.

[Whois](#)

[AboutUs.org](#)

[Developers](#) [Buzz & Press](#) [About](#) [Contact Us](#) [Compete, Inc.](#)

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